



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2860

DATE SCANNED

6/4/15

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
2014 DEC 10 AM 10:54

December 9, 2014

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *APCO*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC/muc*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickeral *KDR* *JP*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2014 October Quarterly Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). The 2014 October Quarterly Report was due on October 15, 2014.

The committees listed in the attached RTB Circulation Report either failed to file the report, no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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Federal Election Commission
Reason to Believe Circulation Report
2014 OCTOBER QUARTERLY Not Election Sensitive 10/15/2014 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2845	C00556555	BARBARA MULVANEY FOR CONGRESS	MULVANEY, BARBARA	JANA MULVANEY	\$301,016	0		Not Filed	\$9,803	\$330
2846	C00540385	BEALE FOR CONGRESS	BEALE, ANTHONY A	STEVEN R. BURRIS	\$369,434	4		Not Filed	\$92,359 (est)	\$7,700
2847	C00550129	CALVIN D TURNQUEST FOR CONGRESS	TURNQUEST, CALVIN DEON	OLIVIA OUTMEZGUINE	\$112,962	0		Not Filed	\$27,981 (est)	\$1,090
2848	C00543173	CORRY WESTBROOK FOR CONGRESS	WESTBROOK, CORRY	CATHERINE E. WFNZING	\$333,044	0		Not Filed	\$66,609 (est)	\$2,970
2850	C00547067	ESPERO FOR CONGRESS	ESPERO, WILLIAM	BRYAN GALLARDE	\$225,170	0		Not Filed	\$45,034 (est)	\$1,090
2851	C00546515	FRIENDS OF CURTIS C. OSBORNE	OSBORNE, CURTIS C	CHRISTOPHER EUGENE CARTER	\$450,755	0		Not Filed	\$75,126 (est)	\$3,850
2853	C00550865	FRIENDS OF TERRY ADAMS	ADAMS, TERRY GLEN JR	ROBERT D. TUKE	\$193,468	0		Not Filed	\$48,367 (est)	\$1,090
2854	C00555631	HIRES FOR CONGRESS	HIRES, BEVERLY JOY	ROY WILEY	\$194,087	0	11/8/2014	24	\$51,933	\$2,550
2855	C00554865	JASON FOR SOUTH DAKOTA	RAVNSBORG, JASON	JAMIE NEITZKE	\$113,144	0		Not Filed	\$37,715 (est)	\$1,090
2856	C00543033	JAY STAMPER FOR SENATE COMMITTEE	STAMPER, JEREMY MICHAEL	JEREMY M. STAMPER	\$125,244	0		Not Filed	\$20,874 (est)	\$550
2857	C00545715	JORGE BONILLA FOR US CONGRESS INC	BONILLA, JORGE L JR	MAGDALENA BONILLA	\$270,955	0		Not Filed	\$32,677 (est)	\$1,090
2858	C00548446	JULIANNE MN INC	ORTMAN, JULIANNE	CHARLES P. ERICKSON	\$2,115,495	0	11/20/2014	Not Filed	\$34,553	\$1,090
2859	C00559518	KIRKMEYER FOR CONGRESS	KIRKMEYER, BARBARA	MARJORIE KLEIN	\$216,408	0	11/25/2014	Not Filed	\$27,439	\$1,090
2860	C00548925	KUMAR FOR CONGRESS	KUMAR, ANIL	MARJORIE KUMAR	\$1,620,871	0		Not Filed	\$405,218 (est)	\$10,900
2861	C00559971	MALONE PEOPLE ACTION COMMITTEE-DELEGATE	MALONE, SHAWN-MICHAEL	GLENRIDGE A. POLE	\$135,245	0	10/23/2014	8	\$54,570	\$1,070
2862	C00544668	MARCUS BRANDON FOR CONGRESS	BRANDON, MARCUS	CECIL ANTONIO BROCKMAN	\$477,012	0		Not Filed	\$79,502 (est)	\$3,850
2863	C00564724	MCCLINE FOR CONGRESS	MCCLINE, JAMEEL	TRINE ANDERSEN	\$149,352	0		Not Filed	\$74,676 (est)	\$2,970
2864	C00553420	NEW MEXICANS FOR RICHARD PRIEM	PRIEM, RICHARD G	PATTI RIVAS	\$207,589	0		Not Filed	\$51,897 (est)	\$2,970
2865	C00519231	RAYE FOR CONGRESS	RAYE, KEVIN L.	NICHI S. FARNHAM	\$768,837	0		Not Filed	\$109,834 (est)	\$4,950
2866	C00560649	TOM CARTER FOR CONGRESS	CARTER, THOMAS G	THOMAS CARTER	\$411,859	0		Not Filed	\$137,286 (est)	\$4,950

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation --)
 2014 October Quarterly Report (Non-)
 Election Sensitive) for the Administrative)
 Fine Program:)
 BARBARA MULVANEY FOR) AF# 2845
 CONGRESS, and JANA MULVANEY as)
 treasurer;)
 BEALE FOR CONGRESS, and STEVEN R) AF# 2846
 BURRIS as treasurer;)
 CALVIN D TURNQUEST FOR) AF# 2847
 CONGRESS, and OLIVIA)
 OUTMEZGUINE as treasurer;)
 CORRY WESTBROOK FOR CONGRESS,) AF# 2848
 and CATHERINE E. WENZING as)
 treasurer;)
 ESPERO FOR CONGRESS, and) AF# 2850
 GALLARDE, BRYAN as treasurer;)
 FRIENDS OF CURTIS C. OSBORNE, and) AF# 2851
 CARTER, CHRISTOPHER EUGENE as)
 treasurer;)

FRIENDS OF TERRY ADAMS, and) AF# 2853
 ROBERT D TUKE as treasurer;)
 HIRES FOR CONGRESS, and ROY) AF# 2854
 WILEY as treasurer;)
 JASON FOR SOUTH DAKOTA, and) AF# 2855
 JAMIE NEITZKE as treasurer;)
 JAY STAMPER FOR SENATE) AF# 2856
 COMMITTEE, and JEREMY M)
 STAMPER as treasurer;)
 JORGE BONILLA FOR US CONGRESS) AF# 2857
 INC, and MAGDALENA BONILLA as)
 treasurer;)
 JULIANNE MN INC, and CHARLES P) AF# 2858
 ERICKSON as treasurer;)
 KIRKMEYER FOR CONGRESS, and) AF# 2859
 MARJORIE KLEIN as treasurer;)
 KUMAR FOR CONGRESS, and) AF# 2860
 MARJORIE KUMAR as treasurer;)

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MALONE PEOPLE ACTION) AF# 2861
COMMITTEE-DELEGATE, and)
GLENRIDGE A POLE as treasurer;)
MARCUS BRANDON FOR CONGRESS,) AF# 2862
and CECIL ANTONIO BROCKMAN as)
treasurer;)
MCCLINE FOR CONGRESS, and TRINE) AF# 2863
ANDERSEN as treasurer;)
NEW MEXICANS FOR RICHARD) AF# 2864
PRIEM, and PATTI RIVAS as treasurer;)
RAYE FOR CONGRESS, and FARNHAM,) AF# 2865
NICHU S. as treasurer;)
TOM CARTER FOR CONGRESS, and) AF# 2866
CARTER, THOMAS as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 11, 2014 the Commission took the following actions on the Reason To Believe Recommendation – 2014 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 09, 2014, on the following committees:

AF#2845 Decided by a vote of 6-0 to: (1) find reason to believe that BARBARA MULVANEY FOR CONGRESS, and JANA MULVANEY as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2846 Decided by a vote of 6-0 to: (1) find reason to believe that BEALE FOR CONGRESS, and STEVEN R BURRIS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2847 Decided by a vote of 6-0 to: (1) find reason to believe that CALVIN D TURNQUEST FOR CONGRESS, and OLIVIA OUTMEZGUINE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2848 Decided by a vote of 6-0 to: (1) find reason to believe that CORRY WESTBROOK FOR CONGRESS, and CATHERINE E. WENZING as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2850 Decided by a vote of 6-0 to: (1) find reason to believe that ESPERO FOR CONGRESS, and GALLARDE, BRYAN as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2851 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF CURTIS C. OSBORNE, and CARTER, CHRISTOPHER EUGENE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2853 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF TERRY ADAMS, and ROBERT D TUKE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2854 Decided by a vote of 6-0 to: (1) find reason to believe that HIRES FOR CONGRESS, and ROY WILEY as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2855 Decided by a vote of 6-0 to: (1) find reason to believe that JASON FOR SOUTH DAKOTA, and JAMIE NEITZKE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2856 Decided by a vote of 6-0 to: (1) find reason to believe that JAY STAMPER FOR SENATE COMMITTEE, and JEREMY M STAMPER as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2857 Decided by a vote of 6-0 to: (1) find reason to believe that JORGE BONILLA FOR US CONGRESS INC, and MAGDALENA BONILLA as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2858 Decided by a vote of 6-0 to: (1) find reason to believe that JULIANNE MN INC, and CHARLES P ERICKSON as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2859 Decided by a vote of 6-0 to: (1) find reason to believe that KIRKMEYER FOR CONGRESS, and MARJORIE KLEIN as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2860 Decided by a vote of 6-0 to: (1) find reason to believe that KUMAR FOR CONGRESS, and MARJORIE KUMAR as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2861 Decided by a vote of 6-0 to: (1) find reason to believe that MALONE PEOPLE ACTION COMMITTEE-DELEGATE, and GLENRIDGE A POLE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2862 Decided by a vote of 6-0 to: (1) find reason to believe that MARCUS BRANDON FOR CONGRESS, and CECIL ANTONIO BROCKMAN as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2863 Decided by a vote of 6-0 to: (1) find reason to believe that MCCLINE FOR CONGRESS, and TRINE ANDERSEN as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.


AF#2864 Decided by a vote of 6-0 to: (1) find reason to believe that NEW MEXICANS FOR RICHARD PRIEM, and PATTI RIVAS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2865 Decided by a vote of 6-0 to: (1) find reason to believe that RAYE FOR CONGRESS, and FARNHAM, NICHI S. as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2866 Decided by a vote of 6-0 to: (1) find reason to believe that **TOM CARTER FOR CONGRESS**, and **CARTER, THOMAS** as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 12, 2014
Date


Shawn Woodhead Werth
Secretary and Clerk of the Commission

157-06027-026469



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 2014

Marjorie Kumar, in official capacity as Treasurer
Kumar for Congress
2450 Walton Blvd.
Rochester Hills, MI 48309

C00548925
AF#: 2860

Dear Ms. Kumar:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2014 through September 30, 2014, shall be filed no later than October 15, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. § 437g(a)(4)). On December 11, 2014, the FEC found that there is reason to believe ("RTB") that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) by failing to file timely this report on or before October 15, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$10,900. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$10,900 is due within forty (40) days of the finding, or by January 20, 2015, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$405,218
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 20, 2015. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$10,900 for the 2014 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by January 20, 2015. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Kumar for Congress

FEC ID#: C00548925

AF#: 2860

PAYMENT DUE DATE: January 20, 2015

PAYMENT AMOUNT DUE: \$10,900



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2015 MAY -8 A 9 46

May 7, 2015

SENSITIVE

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickerall *KDR* *SP*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program

Final Determination Recommendation for the 2014 October
Quarterly Report (Non-Election Sensitive)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2014 October Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, seven (7) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, two (2) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding, and five (5) committees will be assessed no civil money penalty at FD. An overview of each of these cases has been provided below.

Friends of Curtis C. Osborne (AF 2851) filed the 2014 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$4,699 (previously estimated to be \$75,126), thus the fine would be lowered from \$3,850 to \$275.

Jason for South Dakota (AF 2855) filed the 2014 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$37,715), which would result in no civil money penalty (fine previously assessed to be \$1,090).

Kumar for Congress (AF 2860) filed the 2014 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$42,062 (previously estimated to be \$405,218), thus the fine would be lowered from \$10,900 to \$1,090.

Marcus Brandon for Congress (AF 2862) disclosed no activity after the RTB finding (previously estimated to be \$79,502), which would result in no civil money penalty (fine previously assessed to be \$3,850).

New Mexicans for Richard Priem (AF 2864) disclosed no activity after the RTB finding (previously estimated to be \$51,897), which would result in no civil money penalty (fine previously assessed to be \$2,970).

Raye for Congress (AF 2865) disclosed no activity after the RTB finding (previously estimated to be \$109,834), which would result in no civil money penalty (fine previously assessed to be \$4,950).

Tom Carter for Congress (AF 2866) disclosed no activity after the RTB finding (previously estimated to be \$137,286), which would result in no civil money penalty (fine previously assessed to be \$4,950).

RAD Recommendation

- (2) Make a final determination that the political committees and their treasurers listed on the attached reports violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess the final civil money penalties so indicated.
- (3) Make a final determination that the political committees and their treasurers listed on the attached reports with no activity, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and will not be assessed a civil money penalty.
- (4) Send the appropriate letters.

Federal Election Commission
FD Circulation Report Fine Paid
2014 OCTOBER QUARTERLY Not Election Sensitive 10/15/2014 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2850	ESPERO FOR CONGRESS	ESPERO, WILLIAM	C00547067	BRYAN GALLARDE		Not Filed	\$45,034 (est)	0	12/11/2014	\$1,090	\$1,090	01/21/2015	\$1,090
2858	JULIANNE MN INC	ORTMAN, JULIANNE	C00548446	CHARLES P. ERICKSON	11/20/2014	Not Filed	\$34,553	0	12/11/2014	\$1,090	\$1,090	01/15/2015	\$1,090
2859	KIRKMEYER FOR CONGRESS	KIRKMEYER, BARBARA	C00559518	MARJORIE KLEIN	11/25/2014	Not Filed	\$27,439	0	12/11/2014	\$1,090	\$1,090	01/20/2015	\$1,090

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Federal Election Commission
FD Circulation Report Fine Not Paid
2014 OCTOBER QUARTERLY Not Election Sensitive 10/15/2014 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2846	BEALE FOR CONGRESS	BEALE, ANTHONY A	C00540385	STEVEN R BURRIS		Not Filed	\$92,359 (est)	4	12/11/2014	\$7,700	147	\$7,700
2847	CALVIN D TURNQUEST FOR CONGRESS	TURNQUEST, CALVIN DEON	C00550129	OLIVIA OUTMEZGUINE		Not Filed	\$27,981 (est)	0	12/11/2014	\$1,090	147	\$1,090
2851	FRIENDS OF CURTIS C. OSBORNE	OSBORNE, CURTIS C	C00548515	CHRISTOPHER EUGENE CARTER	01/29/2015	Not Filed	\$4,699	0	12/11/2014	\$3,850	147	\$275
2855	JASON FOR SOUTH DAKOTA	RAVNSBORG, JASON	C00554865	JAMIE NEITZKE	02/03/2015	Not Filed	\$0	0	12/11/2014	\$1,090	147	NONE
2856	JAY STAMPER FOR SENATE COMMITTEE	STAMPER, JEREMY MICHAEL	C00543033	JEREMY M. STAMPER		Not Filed	\$20,874 (est)	0	12/11/2014	\$550	147	\$550
2857	JORGE BONILLA FOR US CONGRESS INC	BONILLA, JORGE L JR	C00545715	MAGDALENA BONILLA		Not Filed	\$70,845	0	12/11/2014	\$1,090	147	\$1,090
2860	KUMAR FOR CONGRESS	KUMAR, ANIL	C00548925	MARJORIE KUMAR	01/20/2015	Not Filed	\$42,062	0	12/11/2014	\$10,900	147	\$1,090
2861	MALONE PEOPLE ACTION COMMITTEE-DELEGATE	MALONE, SHAWN-MICHAEL	C00559971	GLENRIDGE A. POLE	10/23/2014	8	\$54,570	0	12/11/2014	\$1,070	147	\$1,070
2862	MARCUS BRANDON FOR CONGRESS	BRANDON, MARCUS	C00544668	CECIL ANTONIO BROCKMAN		Not Filed	\$0	0	12/11/2014	\$3,850	147	NONE
2863	MCCLINE FOR CONGRESS	MCCLINE, JAMEEL	C00564724	TRINE ANDERSEN		Not Filed	\$74,676 (est)	0	12/11/2014	\$2,970	147	\$2,970
2864	NEW MEXICANS FOR RICHARD PRIEM	PRIEM, RICHARD G	C00553420	PATTI RIVAS		Not Filed	\$0	0	12/11/2014	\$2,970	147	NONE
2865	RAYE FOR CONGRESS	RAYE, KEVIN L.	C00519231	NICHI S. FARNHAM		Not Filed	\$0	0	12/11/2014	\$4,950	147	NONE
2866	TOM CARTER FOR CONGRESS	CARTER, THOMAS G	C00560649	THOMAS CARTER		Not Filed	\$0	0	12/11/2014	\$4,950	147	NONE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program – Final)
Determination Recommendation for the)
2014 October Quarterly Report (Non-)
Election Sensitive):)
BEALE FOR CONGRESS, and STEVEN R) AF# 2846
BURRIS as treasurer;)
CALVIN D TURNQUEST FOR) AF# 2847
CONGRESS, and OLIVIA)
OUTMEZGUINE as treasurer;)
ESPERO FOR CONGRESS, and) AF# 2850
GALLARDE, BRYAN as treasurer;)
FRIENDS OF CURTIS C. OSBORNE, and) AF# 2851
CARTER, CHRISTOPHER EUGENE as)
treasurer;)
JAY STAMPER FOR SENATE) AF# 2856
COMMITTEE, and JEREMY M)
STAMPER as treasurer;)
JORGE BONILLA FOR US CONGRESS) AF# 2857
INC, and MAGDALENA BONILLA as)
treasurer;)
JULIANNE MN INC, and CHARLES P) AF# 2858
ERICKSON as treasurer;)
KIRKMEYER FOR CONGRESS, and) AF# 2859
MARJORIE KLEIN as treasurer;)
KUMAR FOR CONGRESS, and) AF# 2860
MARJORIE KUMAR as treasurer;)
MALONE PEOPLE ACTION) AF# 2861
COMMITTEE-DELEGATE, and)
GLENRIDGE A POLE as treasurer;)
MCCLINE FOR CONGRESS, and TRINE) AF# 2863
ANDERSEN as treasurer;)

2014 OCTOBER QUARTERLY REPORT

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on May 11, 2015 the Commission took the following actions on the Administrative Fine Program – Final Determination Recommendation for the 2014 October Quarterly Report (Non-Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated May 07, 2015, on the following committees:

AF#2846 Decided by a vote of 6-0 to: (1) make a final determination that BEALE FOR CONGRESS, and STEVEN R BURRIS as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2847 Decided by a vote of 6-0 to: (1) make a final determination that CALVIN D TURNQUEST FOR CONGRESS, and OLIVIA OUTMEZGUINE as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2850 Decided by a vote of 6-0 to: (1) make a final determination that ESPERO FOR CONGRESS, and GALLARDE, BRYAN as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2851 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF CURTIS C. OSBORNE, and CARTER, CHRISTOPHER EUGENE as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2856 Decided by a vote of 6-0 to: (1) make a final determination that JAY STAMPER FOR SENATE COMMITTEE, and JEREMY M STAMPER as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2857 Decided by a vote of 6-0 to: (1) make a final determination that JORGE BONILLA FOR US CONGRESS INC, and MAGDALENA BONILLA as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2858 Decided by a vote of 6-0 to: (1) make a final determination that JULIANNE MN INC, and CHARLES P ERICKSON as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2859 Decided by a vote of 6-0 to: (1) make a final determination that KIRKMEYER FOR CONGRESS, and MARJORIE KLEIN as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2860 Decided by a vote of 6-0 to: (1) make a final determination that KUMAR FOR CONGRESS, and MARJORIE KUMAR as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2861 Decided by a vote of 6-0 to: (1) make a final determination that MALONE PEOPLE ACTION COMMITTEE-DELEGATE, and GLENRIDGE A POLE as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2863 Decided by a vote of 6-0 to: (1) make a final determination that MCCLINE FOR CONGRESS, and TRINE ANDERSEN as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

**Federal Election Commission
Certification for Administrative Fines**

May 1, 2015

May 11, 2015
May 12, 2015
Date

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Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 2015

Marjorie Kumar, in official capacity as Treasurer
Kumar for Congress
2450 Walton Blvd.
Rochester Hills, MI 48309

C00548925
AF#: 2860

Dear Ms. Kumar:

On December 11, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for filing late or failing to file the 2014 October Quarterly Report. By letter dated December 12, 2014, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$10,900 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2014 October Quarterly Report. The FEC made a final determination on May 11, 2015 that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$1,090 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$42,062

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 2 U.S.C. § 437g(a)(4)(C)(iii)). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Ann M. Ravel". The signature is fluid and cursive, with the first name "Ann" and middle initial "M" being more prominent than the last name "Ravel".

Ann M. Ravel
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$1,090 for the 2014 October Quarterly Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within thirty (30) days of receipt of this letter.

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Kumar for Congress

FEC ID#: C00548925

AF#: 2860

PAYMENT AMOUNT DUE: \$1,090



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2860

DATE SCANNED

6/4/15

SCANNER NO.

2

SCAN OPERATOR

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